

## House File 60 - Introduced

HOUSE FILE 60

BY HANSON, STAED, KACENA,  
NIELSEN, ANDERSON, OLDSOHN,  
McKEAN, HALL, GASKILL, and  
BROWN-POWERS

### A BILL FOR

1 An Act relating to the use of electronic communication devices  
2 to write, send, or read text messages while driving as a  
3 primary offense.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1      Section 1. Section 321.276, subsection 5, Code 2017, is  
2 amended by striking the subsection.

3	EXPLANATION
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4           The inclusion of this explanation does not constitute agreement with  
5           the explanation's substance by the members of the general assembly.

6 This bill eliminates the provision that prohibits a peace  
7 officer from stopping or detaining a person solely for a  
8 violation of Code section 321.276, which relates to texting  
9 while driving.

10       The scheduled fine for a violation of Code section 321.276  
11 remains \$30. Under current law, the offense is not a moving  
12 violation, and therefore cannot be considered for purposes  
13 of administrative suspension of a driver's license or for  
14 establishing habitual offender status. However, if the  
15 violation causes a serious injury, a court could impose an  
16 additional fine of \$500 or suspend the person's driver's  
17 license for not more than 90 days, or both. If the violation  
18 causes a death, a court could impose an additional fine of  
19 \$1,000 or suspend the person's driver's license for not more  
20 than 180 days, or both.